



State of West Virginia Office of Technology

Policy: [E-Mail Use Standards](#)

Issued by the CTO

Policy No: WVOT-PO1005

Issue Date: 11/24/2009

Revised:

Page 1 of 8

1.0 PURPOSE

The State's [e-mail](#) consists of a network of servers and devices administered and maintained by [West Virginia Office of Technology](#) (WVOT) personnel.

This policy establishes and communicates standards governing the acceptable use of, access to, and disclosure of the State-provided e-mail system. This document is not all-inclusive and management has the authority and discretion to appropriately address any unacceptable behavior and/or practice not specifically mentioned herein.

2.0 SCOPE

This policy applies to all Executive Branch agencies except those specifically exempted in West Virginia Code §5A-6-1 *et seq.*, which gives the WVOT the authority to "advise and make recommendations to all State spending units on their information systems and the authority to oversee coordination of the state's technical infrastructure."

To the extent that there are policies in place which provide less security than this policy, they will be superseded by this policy. In instances where existing state and federal laws and regulations are more restrictive than Information Security policies issued by the WVOT the more restrictive provisions will prevail.

3.0 RELEVANT DOCUMENTS/MATERIAL

- 3.1 [West Virginia Office of Technology \(WVOT\) Home Page](#)
- 3.2 [West Virginia Code](#) §5A-6-4a *et seq.* – "Duties of the Chief Technology Officer Relating to Security of Government Information"
- 3.3 [West Virginia Code §5A-8-1](#)- "Public Records Management and Preservation Act"
- 3.4 West Virginia Code §5A-6-1 *et seq.*
- 3.4 [WVOT-PO1001](#) – *WVOT Information Security policy and Appendix A*
- 3.5 WVOT-PR1005 – *E-mail Requirements*

Policy: E-Mail Use Standards

State of West Virginia Office of Technology

Policy No: WVOT-PO1005

Issue Date: 11/24/2009

Revised:

Page 2 of 8

3.6 WVOT-PR1001 – *Requesting Technical Investigations*

4.0 POLICY

- 4.1 All State employees covered under this policy will be expected to use the State's centralized e-mail system. Any variation must be approved by the WVOT.
- 4.2 Use of personal e-mail to conduct State business is strictly prohibited.
- 4.3 State-provided e-mail is not to be used for the creation or distribution of any offensive or disruptive messages (see *Appendix A* of WVOT-PO1001 – *Information Security Policy*). Executive Branch employees who receive any e-mail containing this content should report to incident@wv.gov immediately.
- 4.4 All State content sent and/or received is owned by the State and will be considered official [State records](#).
- 4.5 The State reserves the right to monitor and/or keep a record of all e-mail communications without prior notice. **Employees should have no expectation of privacy in anything they create, store, send, or receive on the State-provided network.**
- 4.6 Each agency will comply with predetermined retention standards unless otherwise authorized by the WVOT. (See 5.8)
- 4.7 E-mail system administrators will retain [back-up files](#) for disaster recovery or e-Discovery purposes only. These files will not routinely be used to recover individual messages or mailboxes.
- 4.8 The WVOT does not routinely monitor, or authorize e-mail monitoring but may, with [just cause](#), access and/or disclose the e-mail or files of an employee, provided it follows appropriate procedures and authorization mechanisms designed to assure compliance with State policies and applicable law.

Policy: E-Mail Use Standards

State of West Virginia Office of Technology

Policy No: WVOT-PO1005

Issue Date: 11/24/2009

Revised:

Page 3 of 8

- 4.9 The contents of e-mail messages properly obtained for discovery or management purposes may be disclosed without the permission of the authorized user who created the message.
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5.0 STANDARD PRACTICES

- 5.1 Management is responsible for the e-mail activities of employees in State agencies.
- 5.2 Within the State's e-mail system, all messages, attachments, files, and folders are automatically encrypted. Messages sent outside of the system are first decrypted; therefore, if sensitive data is being transmitted outside the State enterprise via email, the State's e-mail encryption tool should be used. (Users should contact the WVOT Service Desk for more information.)
- 5.3 Password protecting an e-mail account does not confer a special status or access limitation/restriction on e-mail or any records with respect to privacy and applicability of laws, policies, and practices.
- 5.4 Copies of e-mail messages held on back-up systems will remain accessible and may be subject to legal discovery and monitoring.
- 5.5 Only minimal personal use of State e-mail systems is permitted (e.g., 15-20 minutes during a break or a lunch period). This use should not interfere with the legitimate business of the State.
- 5.6 Employees must follow specific guidelines when sending [mass mailings](#) or group messages. (For more information, contact the WVOT Service Desk.)
- 5.7 Employees must be aware of rules regarding e-mail attachments. (For more information contact the WVOT Service Desk.)
- 5.8 Employee/Agency E-mail [Retention](#) Requirements
- 5.8.1 E-mail messages sent or received in the course of official State business transactions may be State records and must be evaluated by the employee to determine if the message should be retained.

Policy: E-Mail Use Standards

State of West Virginia Office of Technology

Policy No: WVOT-PO1005

Issue Date: 11/24/2009

Revised:

Page 4 of 8

5.8.2 Each agency may have specific supplemental retention requirements. The agency head is responsible for training employees with respect to retention criteria applicable to agency data, including the length of time State records warrant retention for administrative, legal, or fiscal purposes after the agency has received the email messages. If an agency determines that emails need to be retained for an extended period of time, that agency should use Central Archiving for storage of those records.

5.8.3 [Informational e-mail](#) messages are generally of temporary value and do not need to be collected and/or maintained in a record keeping system. Employees should delete these messages unless a future need exists.

6.0 ENFORCEMENT

Any employee found to have violated this policy may be subject to disciplinary action up to and including dismissal. Disciplinary action, if determined to be necessary, will be administered by the employing agency and may be based on recommendations of the WVOT and the [West Virginia Division of Personnel](#), intended to address severity of the violation and the consistency of sanctions.

7.0 LEGAL AUTHORITY

Under the provisions of West Virginia Code §5A-6-4a *et seq.*, the [Chief Technology Officer](#) (CTO) is charged with securing State government information and the data communications infrastructure from unauthorized uses, intrusions, or other security threats. The CTO is granted both the authority and the responsibility to develop information technology policy, promulgate that policy, audit for policy compliance, and require corrective action where compliance is found to be unsatisfactory or absent.

This policy is one in a series of Information Technology (IT) related policies intended to define and enable the incorporation of appropriate practices into all activities using State-provided technology in the State of West Virginia.

To the extent that there are policies in place which provide less security than this policy, they will be superseded by this policy. In instances where existing state and federal

Policy: E-Mail Use Standards

State of West Virginia Office of Technology

Policy No: WVOT-PO1005

Issue Date: 11/24/2009

Revised:

Page 5 of 8

laws and regulations are more restrictive than Information Security policies issued by the WVOT the more restrictive provisions will prevail.

8.0 DEFINITIONS

- 8.1 Archive - A stand-alone IT application that works with an e-mail server to help manage an organization's e-mail messages. It captures and preserves all e-mail traffic flowing into and out of the e-mail server so it can be accessed quickly at a later date from a centrally managed location.
- 8.2 Back-up Files – Electronic files created to restore computer system files that have become inaccessible on a computer system.
- 8.3 Chief Technology Officer (CTO) – The person responsible for the State's information resources.
- 8.4 Contractor – Anyone who has a contract with the State or one of its entities.
- 8.5 E-mail – The transmission of messages over communications networks.
- 8.6 E-mail System – A service that sends messages on computers via local or global networks. E-mail systems provide for storage, and later retrieval of messages and attachments, as well as real-time communication.
- 8.7 Employee – Individuals retained and authorized on a temporary or permanent basis by the State of West Virginia to perform a service. For the purposes of Information Technology and Security policy, the term "employee" shall include the following: contractors, subcontractors, contractors' employees, volunteers, county health department staff, business associates, and any other persons who are determined and notified by the WVOT to be subject to this policy. This definition does not create any additional rights or duties.
- 8.8 Information Resources – All information assets, in all known formats.
- 8.9 Information Security Administrator (ISA) – The person designated by the agency head to assure the agency's compliance with State Information Security policies and procedures. The ISA is the agency's internal and external point of contact for all Information Security matters.

Policy: E-Mail Use Standards

State of West Virginia Office of Technology

Policy No: WVOT-PO1005

Issue Date: 11/24/2009

Revised:

Page 6 of 8

- 8.10 Informational E-mail Messages – Messages that are generally of temporary value, consisting of content created primarily for the informal communication of information.
- 8.11 Just Cause – a legal and legitimate reason.
- 8.12 Mass Mailings – Information shared with a group of people who all need to know the same material, (ex., committee members, individual units within Bureaus, etc.).
- 8.13 Retention – Specifies how long the e-mail (sent or received) needs to be kept to satisfy administrative, legal, fiscal, and historical requirements.
- 8.14 State Records – Documentary materials or information, regardless of physical media or characteristics, made or received by an office in connection with the transaction of official business and preserved by that office as evidence of the State's functions, policies, decisions, procedures, operations, or other activities of that office, or because of the value of the data in the record. These messages can set policy, establish guidelines or procedures, certify a transaction, or become a receipt.
- 8.15 West Virginia Division of Personnel – The Division of the Department of Administration established by WV CODE § 29-6-1 et seq., which is responsible for the system of human resource management for operating agencies in the classified and classified-exempt service of West Virginia State government.
- 8.16 West Virginia Office of Technology (WVOT) - The division of the Department of Administration established by WV Code § 5A-6-4a, et. seq., which is led by the State's CTO and designated to acquire, operate, and maintain the State's technology infrastructure. The WVOT is responsible for evaluating equipment and services, and reviewing information technology contracts.

9.0 INDEX

A

Acceptable Use of State-Provided Email System	1
Access	1, 2, 3

Policy: E-Mail Use Standards

State of West Virginia Office of Technology

Policy No: WVOT-PO1005

Issue Date: 11/24/2009

Revised:

Page 7 of 8

Archive.....	5
Attachments	3, 5
B	
Back-up Files	5
C	
Central Archiving.....	4
Chief Technology Officer	See CTO
Contractors	5
CTO.....	2, 4, 5, 6
D	
Disaster Recovery.....	2
Disciplinary Action.....	See Enforcement
Disclosure of E-mail.....	1, 2
Discovery.....	3
E	
E-mail.....	1, 2, 3, 5, 6
E-mail System	1, 2, 3
Employees	2, 3, 4, 5
Encrypted E-mail.....	3
Enforcement	4
I	
Information Resources	5
Informational e-mail	4, 6
ISA.....	5
IT Policy.....	1, 4, 5, 6
M	
Mass Mailings.....	3, 6
Monitoring E-mail	2
P	
Passwords.....	3
Personal Use	3
Privacy.....	2, 3
Purpose	1
R	
Relevant Documents/Material	1
Retention Requirements	3, 6
S	
State Records.....	2, 3, 6

Policy: E-Mail Use Standards

State of West Virginia Office of Technology

Policy No: WVOT-PO1005

Issue Date: 11/24/2009

Revised:

Page 8 of 8

W

West Virginia Code §5A-8-1	1
West Virginia Code 5A-6-4a.....	4
West Virginia Division of Personnel	4, 6
West Virginia Office of Technology	See WVOT
WVOT	1, 2, 3, 4, 5, 6